

### **REMARKS**

Claims 9-16 and 18-20 are pending in the present application. Claim 17 has been canceled above. Claims 9-11, 16, and 18-20 have been amended. Claims 9, 11, and 16 are independent claims. The Examiner is respectfully requested to reconsider the outstanding rejections in view of the above amendments and the following remarks.

#### ***Amendments to the Specification***

It is respectfully submitted that the amendments to the specification add no new matter to the present application. For instance, with respect to paragraph 22, it would be readily understood by those of ordinary skill in the art that the input device 11 and display device 6 are inherently part of a user interface.

#### ***Rejections Under 35 U.S.C. § 103***

#### **Catallo/Ryuji**

Claims 9, 10, 16-18, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,867,817 to Catallo et al. (hereafter "Catallo") in view of Japanese Patent Application Publication No. 11-126092 to Ryuji (hereafter "Ryuji").<sup>1</sup> This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

As amended, independent claims 9 and 16 recite a switch actuated by a driver to select executing a command execution mode, and a user interface actuated by a nonverbal input by the driver to select executing an operation guidance mode. These claims further recite that the control section analyzes a cause of incapability of recognition of a voice command, and gives visual notice on the result of such analysis via a display device of the user interface.

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<sup>1</sup> Although the Office Action lists claim 12 as being part of this rejection, this presumably is a typographical error since the Examiner clearly relies on Alshawi to reject claim 12 (see Off. Act. at page 4, 4<sup>th</sup> paragraph).

Applicants respectfully submit that Catallo and Ryuji, taken separately or in combination, fail to teach or suggest the aforementioned claim features.

For instance, neither Catallo nor Ryuji's invention allows the user/driver to select executing an operation guidance mode by a nonverbal input as claimed. In the rejection, the Examiner interprets Catallo's inputting of the help command (Fig. 10A) to be a mechanism to select executing an operation guidance mode. However, Catallo's invention is only capable of receiving this help command as a verbal command via the microphone (see col. 3, lines 43-47; col. 11, lines 9-15 and 39-41). Thus, Catallo does not teach the claimed actuation of a user interface by nonverbal input to select executing the operation guidance mode. Ryuji cannot remedy this deficiency -- Ryuji's invention does not include a user interface for receiving a nonverbal input. Thus, neither Catallo nor Ryuji teaches or suggests a user interface actuated by a nonverbal input by the driver to select executing the operation guidance mode as claimed.

Further, in this rejection, the Examiner admits that Catallo fails to disclose a control section that analyzes a cause of incapability of recognition of the voice command and gives a notice on the result of the analysis. Accordingly, the Examiner relies on Ryuji to teach this feature, citing the abstract. However, Ryuji's invention only gives notice of the cause of non-recognition by talk-back instruction. See paragraphs 0030-36 of the machine translation of Ryuji (available from the JPO website). Ryuji fails to teach or suggest giving a visual notice via a display device of such analysis. Thus, neither Catallo nor Ryuji teaches or suggests a control section analyzing a cause of incapability of recognition of a voice command in order to give a visual notice on the result of such analysis via a display device, as claimed.

In addition, Applicants point out that independent claims 9 and 16 have been amended such that the body of the claim requires elements of the apparatus to be implemented inside a vehicle and manipulated by the driver. Applicants also submit that these amendments further distinguish over Catallo which would not be suitable for use by the driver of a vehicle.

At least for the reasons set forth above, Applicants respectfully submit that claims 9 and 16 are allowable over Catallo and Ryuji. Accordingly, claims 10, 17, 18, and 20 are allowable at least by virtue of their dependency on claims 10 and 16. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

**Catallo/Ryuji/Alshaw**

Claims 11-15 and 19 stand rejected under § 103(a) as being unpatentable over Catallo and Ryuji, and further in view of U.S. Patent No. 5,956,668 to Alshaw et al. (hereafter “Alshaw”).

**Claims 11, 13, and 15:**

Applicants point out that independent claim 11 has been amended to recite a storage section that stores a correspondence between different display formats and different causes of incapability of recognition by the voice recognition section. Claim 11 also recites that the control section performs an analysis to determine a particular cause of incapability of recognition of the voice command, and gives visual notice of the particular cause by changing the screen of the display device to exhibit the display format corresponding to the particular cause.

Applicants respectfully submit that Catallo, Ryuji, and Alshaw, taken separately or in combination, fail to teach the aforementioned claim features.

In the rejection, the Examiner asserts that Alshaw to teach a control section reading a display format corresponding to a result of the analysis and changing a display format of the screen of the display device based on the read display format (see Off. Act. at page 8, 3<sup>rd</sup> paragraph). In support, the Examiner cites col. 5, lines 14-22, of Alshaw. However, the cited portion of Alshaw merely discloses a browsing system which displays each unrecognizable segment as an icon or special word. There is no teaching or suggestion in Alshaw of storing a correspondence between different display formats and different causes of incapability of recognition as claimed. Also, Alshaw’s icon/special word does not give a visual notice of a

particular cause of incapability of recognition for the voice command input as claimed. Instead, Alshawhi's icon/special word only indicates the particular segment of the voice input which is unrecognizable.

Applicants further submit that Catallo and Ryuji fail to remedy the deficiencies of Alshawhi with respect to independent claim 11. As discussed above in connection with claims 9 and 16, neither Catallo nor Ryuji teaches or suggests giving visual notice of the result of analysis of the cause of incapability of recognition of a voice command.

**Claims 12, 14, and 19:**

Applicants respectfully submit that Alshawhi fails to remedy the deficiencies of Catallo and Ryuji set forth above in connection with independent claim 9. For example, Alshawhi does not teach or suggest, nor does the Examiner assert that Alshawhi teaches or suggests, a user interface actuated by a nonverbal input by a driver to select executing the operational guidance mode as claimed. Therefore, Applicants submit that claims 12 and 14 are allowable at least by virtue of their dependency on independent claim 11.

**Withdrawal of Rejection Requested:**

At least for the reasons set forth above, Applicants submit that claims 11-15 and 19 are in condition for allowance. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

***Conclusion***

Since the remaining patent cited by the Examiner have not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

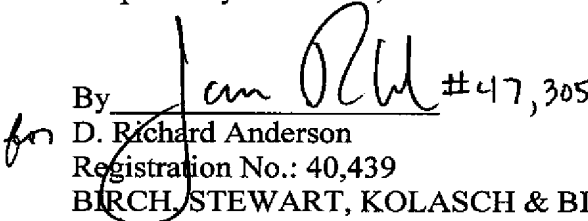
In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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